

<b>MANUAL: JR2, Resident Programs</b>	<b>JOB AID</b>
<b>SUBJECT: JR2 231, Sex Offender Registration</b>	New Issue
	X Partial Revision 08/01/2015
	Complete Revision

**Overview**

In 2013, Michigan sex offender registration law was amended to add an annual \$50 fee to the original initial \$50 registration fee. The annual fee is associated with sex offender registration verification requirements applicable to all registrants except those who are incarcerated. Youth in secure residential placements, secure detention or jail are considered incarcerated. Youth in non-secure placements or the community are not incarcerated. The Michigan State Police, who operates the Michigan sex offender registry, has also revised forms used in sex offender notification, registration, and verification. Forms can be located at [http://www.michigan.gov/msp/0,1607,7-123-1645\\_3500---,00.html](http://www.michigan.gov/msp/0,1607,7-123-1645_3500---,00.html)

**Questions and Answers**

Question: A youth was admitted to our facility and is now in a group I supervise. He has no ID card. How should I proceed?

Answer: A driver’s license or ID card is mandatory for any youth who is required to register as a sex offender. If the ID card is not present in the youth’s records, contact the juvenile justice specialist to provide the birth record and work together to obtain an ID card through the nearest office of the Michigan Secretary of State.

Question: A youth was admitted to our facility for sex offender treatment. When I review his case record, the court order requires him to register as a sex offender. I see no documentation in the record. What do I do?

Answer: Contact the juvenile justice specialist to request the records. The juvenile justice specialist should contact the court if the juvenile justice specialist does not have the records.

Question: I was discussing my youth’s sexual offense with him. The youth said his offense was a “Tier III offense”. He asked what this meant. How should I proceed?

Answer: In Michigan, state law splits sex offenses into three tiers (I, II, and III). Tiers determine the number of years a registrant is required to register and the frequency of required periodic verification. Tiers can be found in the Sex Offenders Registration Act,

1994 PA295, as amended, MCL 28.721, et seq, and DHHS policy JJ3 300, Offense Class I-V, Sex Offender Registration, and DNA Profile Codes Exhibits VI-VIII.

Question: A youth was admitted to our secure facility from a non-secure placement. Is he still required to make periodic verifications with the registering authority?

Answer: By virtue of entering a secure facility, the youth is now considered incarcerated. Once the address change is reported to the registering authority, periodic verification requirements are held in abeyance while incarcerated. When the youth returns to a non-secure placement or the community, verification requirements resume.

Question: A youth in my residential treatment group has had a lot of treatment success and is being de-escalated from this secure placement to a non-secure placement. How does this affect the youth going forward?

Answer: De-escalation to a non-secure placement will remove the youth from an incarcerated status. This will trigger sex offender verification requirements which will trigger the requirement to pay an annual \$50 sex offender registration fee.

Question: Wasn't the sex offender registration law struck down by a judge's ruling?

Answer: Portions of the law dealing with reporting status changes under certain circumstances were ruled unconstitutional by a Michigan court in early 2015. Changes to the law may occur in the future. The basic elements of the law remain unchanged.